

This matrix summarizes new sanctuary regulations and changes to existing regulations proposed as part of the Jmpr. For the most accurate and complete version of the regulations as proposed, please refer to the full text of the regulatory language, as printed in the *Federal Register* on October 6, 2006. This *Federal Register* entry is available at <http://www.sanctuaries.nos.noaa.gov/jointplan/drafts/proposed.html>.

Updated 10/5/06

Cordell Bank NMS Proposed Regulation Changes			
Issue	Proposed Regulation	Rationale	Expected Effect on Users
Introduced Species	Prohibit the introduction or release within or into the Sanctuary of nonnative species, except striped bass released during catch and release fishing activity.	Increases protection to native Sanctuary biodiversity and ecosystem integrity; Striped bass are exempt since they are a CDFG managed fishery.	There is no expected effect on current lawful uses within the Sanctuary.
Cruise Ship Discharges	Prohibit discharging or depositing, from within or into the Sanctuary, any material or matter from a cruise ship other than engine cooling water. <i>Cruise ship means a vessel of 250 or more passenger berths for hire.</i>	Increases protection to Sanctuary resources by eliminating large volumes of potentially harmful and hazardous discharges from an increasing number of cruise ships in and out of the San Francisco Bay.	Cruise ships have the ability to hold their waste until they are out of the Sanctuary and so will not be unduly impacted as they pass through.
Vessel Discharges	Clarify and narrow the wastewater discharge exemptions for food wastes and sewage. (Eliminates exemptions for discharging wastes resulting from meals on board vessels and chumming for non-fishing purposes; Clarifies that discharges allowed from marine sanitation devices apply only to Type I and Type II marine sanitation devices (no raw sewage dumping)).	Minimizes the discharge of food wastes and hazardous materials that could harm wildlife; Clarifies the MSD exemption so that boaters know what type of discharges from MSD are prohibited; increases protection to Sanctuary resources by eliminating the discharge of raw sewage from vessels; provides consistency among all three sanctuaries (and with CINMS).	The prohibition on the discharge of food wastes could have an impact on users in that they must now dispose of their food waste outside the Sanctuary. However, this is a small and reasonable burden. The MSD requirements are only a clarification and should not result in an impact to boaters other than boaters must now lock discharge valves to prevent discharge of untreated sewage.

This matrix summarizes new sanctuary regulations and changes to existing regulations proposed as part of the Jmpr. For the most accurate and complete version of the regulations as proposed, please refer to the full text of the regulatory language, as printed in the *Federal Register* on October 6, 2006. This *Federal Register* entry is available at <http://www.sanctuaries.nos.noaa.gov/jointplan/drafts/proposed.html>.

Updated 10/5/06

Disturbance of the Seabed (Seabed Protection)	Prohibit drilling into, dredging, altering the seabed, constructing, placing, or abandoning any structure or material on or within the 50-fathom isobath on Cordell Bank (except for lawful fishing operations). This reg. would also extend these same protections to the area outside of the 50-fathom isobath in the CBNMS except for anchoring and lawful fishing activities. The area within 50-fathoms of Cordell Bank is 29 nm ² or 7.25% of the Sanctuary.	Increases protection of sensitive benthic habitats on Cordell Bank. Allows the Sanctuary to better address emerging issues such as benthic cable crossings. Provides regulatory consistency across all three sites.	As lawful fishing activities are exempted, this regulation should not impact current uses of the Sanctuary. Note however, that fishing with bottom contact gear on Cordell Bank is already prohibited by NOAA Fisheries.
Take of Benthic Invertebrates (Benthic Habitat Protection)	Clarifies that lawful fishing operations are exempt and defines the area encompassed by the 50-fathom isobath.	Increases protection of sensitive benthic habitats and species on Cordell Bank.	As lawful fishing activities are exempted, this regulation should not impact current uses of the Sanctuary. Note however, that fishing with bottom contact gear on Cordell Bank is already prohibited by NOAA Fisheries.
Marine Mammal, Sea Turtles & Bird Protection	Prohibits “taking” or “possessing” any marine mammal, sea turtle or bird in or above the Sanctuary, except as authorized under the MMPA, ESA, and MBTA.	Increases protection of sensitive species; added legal deterrent; added enforcement/prosecutorial option; consistency with other more recently designated sanctuaries.	There are no current uses of the Sanctuary that involve the deliberate taking of these animals.
Technical Changes	Minor word changes	Change “seabed” to “submerged lands”; add new manager permit as a category of allowable permit	No impact.